

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION**

**BNSF RAILWAY COMPANY**

**CIVIL ACTION NO. 6:07-CV-0849**

**VERSUS**

**JUDGE DOHERTY**

**T. K. TOWING, INC., et al**

**MAGISTRATE JUDGE METHVIN**

**ORDER**

Having considered T. K. Towing, Inc.'s foregoing unopposed Ex Parte Motion for Leave to Dismiss its claim for exemplary/punitive damages, without prejudice, it is hereby

**ORDERED, ADJUDGED AND DECREED** that defendant/plaintiff in limitation, T. K. Towing, Inc.'s, claim element against plaintiff/claimant in limitation, BNSF Railway Company, for exemplary/punitive damages be and the foregoing is dismissed, without prejudice, each party to bear its respective costs, all other claim elements to remain as before.

Signed at Lafayette, Louisiana, on October 23, 2007.

A handwritten signature in black ink, appearing to read 'M. Methvin', is written over a horizontal line.

Mildred E. Methvin  
United States Magistrate Judge  
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